

Amendment and Response Under 37 C.F.R. §1.116 - Expedited Examining Procedure
Serial No.: 09/822,651
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Remarks

The Office Action mailed 2 August 2007 has been received and reviewed. Claims 71, 83, 94, 109, 110, and 111 have been amended and new claims 114 and 115 have been presented. Upon entry of these amendments, claims 71-79, 81-83, 85-90, and 92-115 will be pending in the present application. Reconsideration and withdrawal of the rejections are respectfully requested.

New Claims 114 & 115

New claims 114 and 115 are presented to provide Applicants will more comprehensive protection of the inventions disclosed in the present application.

Support for new claim 114 be found in the application as filed at, e.g., p. 2, lines 2-26; p. 4, lines 16-29; p. 6, lines 14-20; and Figures 1, 3, & 4.

Support for new claim 115 be found in the application as filed at, e.g., p. 2, lines 2-26; p. 4, lines 16-29; p. 5, line 23 to p. 6, line 2; p. 6, lines 14-20; Examples 1-9, 11 & 13; and Figures 1, 3, and 4.

The 35 U.S.C. §103 Rejections

I. **Obviousness in view of Wessels et al.**

Claims 71, 73-79, 81-82, 94-95, 97-109, and 111 were rejected under 35 U.S.C. §103 as being unpatentable over Wessels et al. (U.S. Patent No. 5,669,120). Applicants respectfully disagree.

A. **Claims 71, 73-79, 81-82, 94, 95 & 97-108:** *Wessels et al. does not teach or suggest a "plurality of discrete polymeric regions [that] are located only on the first major side of the substrate, and further wherein the polymer forming the discrete patches of polymer is not present on the second major side of the substrate."*

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Among claims 71, 73-79, 81-82, 94, 95 & 97-108, claims 71 and 94 are independent claims with the remaining claims depending from either claim 71 or claim 94. Both independent claims 71 and 94 recite, *inter alia*, that "the plurality of discrete polymeric regions are located only on the first major side of the substrate, and further wherein the polymer forming the discrete patches of polymer is not present on the second major side of the substrate." This combination of features is not disclosed or suggested by Wessels et al.

In fact, all of the methods of Wessels et al. involve the use of one or more masses of polymer that are either extruded through the substrate S (as depicted in Figure 1 and described at col. 7, lines 10-41)) or into which the substrate S is embedded (as depicted in Figure 5 and described at col. 8, line 55 to col. 9, line 9). No other manufacturing methods are disclosed or suggested in Wessels et al. Further, both of these methods inherently and unavoidably provide one or more masses of polymer that forms both the hooks 4b and polymer layer 4a. As depicted in Figures 4B and 4F, the polymer forming the layer 4a is merely that portion of the polymer that is not forced through the substrate S. As a result, the polymer forming the polymer regions of Wessels et al. is inherently and unavoidably found on both major sides of the article.

In support of this rejection, it is asserted that "patentability of a product is independent of how it is made." Applicants do not disagree with this assertion, but note that it is not germane to the issue presented with respect to the rejection of claims 71, 73-79, 81-82, 94, 95 & 97-108. Applicants are not asserting that the methods of manufacturing the articles described in claims 71, 73-79, 81-82, 94, 95 & 97-108 are the basis for the patentability of those claims. Rather, Applicants are merely pointing out that the only methods for manufacturing the articles disclosed in Wessels et al. all would inherently and unavoidably produce articles that do not meet the requirements of claims 71, 73-79, 81-82, 94, 95 & 97-108. As a result, Wessels et al. does not, and cannot, support a *prima facie* case of obviousness with respect to claims 71, 73-79, 81-82, 94, 95 & 97-108.

For at least this reason, Applicants respectfully submit that a *prima facie* case of obviousness has not been established for claims 71, 73-79, 81-82, 94, 95 & 97-108 based on

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Wessels et al. Reconsideration and withdrawal of this obviousness rejection of claims 71, 73-79, 81-82, 94, 95 & 97-108 are, therefore, respectfully requested.

B. Claims 109 & 111: *Wessels et al. does not teach or suggest a "plurality of discrete polymeric regions [that] are located only on the first major side of the substrate, and wherein the polymer forming the plurality of discrete polymeric regions does not extend through the substrate to the second major side of the substrate or form the second major side of the substrate."*

Both of independent claims 109 and 111 recites, *Inter alia*, that "the plurality of discrete polymeric regions are located only on the first major side of the substrate, and wherein the polymer forming the plurality of discrete polymeric regions does not extend through the substrate to the second major side of the substrate or form the second major side of the substrate." This combination of features is not disclosed or suggested by Wessels et al.

In fact, the articles of Wessels et al. are all manufactured by methods that all involve the use of one or more masses of polymer that are either extruded through the substrate S (as depicted in Figure 1 and described at col. 7, lines 10-41)) or into which the substrate S is embedded (as depicted in Figure 5 and described at col. 8, line 55 to col. 9, line 9). No other manufacturing methods are disclosed or suggested in Wessels et al. Further, both of these methods inherently and unavoidably provide one or more masses of polymer that forms both the hooks 4b and polymer layer 4a. As depicted in Figures 4B and 4F, the polymer forming the layer 4a is merely that portion of the polymer that is not forced through the substrate S. As a result, the polymer forming the polymer regions of Wessels et al. is inherently and unavoidably found on both major sides of the article.

In support of this rejection, it is asserted that "patentability of a product is independent of how it is made." Applicants do not disagree with this assertion, but note that it is not germane to the issue presented with respect to the rejection of claims 109 and 111. Applicants are not asserting that the methods of manufacturing the articles described in claims 109 and 111 are the

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basis for the patentability of those claims. Rather, Applicants are merely pointing out that the only methods for manufacturing the articles disclosed in Wessels et al. all would inherently and unavoidably result in articles that do not meet the requirements of claims 109 and 111. As a result, Wessels et al. does not, and cannot, support a *prima facie* case of obviousness with respect to claims 109 and 111.

For at least this reason, Applicants respectfully submit that a *prima facie* case of obviousness has not been established for claims 109 and 111 based on Wessels et al. Reconsideration and withdrawal of this obviousness rejection of claims 109 and 111 are, therefore, respectfully requested.

C. Claims 71, 73-79, 81-82, 94-95, 97-109, and 111: Wessels et al. does not teach or suggest a plurality of discrete polymeric regions that, each of which comprises a discrete patch of polymer "having a perimeter that is entirely bordered by the first major side of the substrate."

Each of independent claims 71, 94, 109, and 111 recites, *inter alia*, that "a plurality of discrete polymeric regions fused to the first major side of the substrate" and that each of the discrete polymeric regions is in the form of a discrete patch "having a perimeter that is entirely bordered by the first major side of the substrate." This combination of features is not disclosed or suggested by Wessels et al.

The Examiner relies on the teachings of column 10, lines 53-60 of Wessels et al. as support for an assertion that Wessels et al. discloses or suggests changing the shape and/or spacing of the polymer regions containing the hooks. Applicants respectfully disagree and have reproduced the cited portion of Wessels et al. below:

Further, since the pile core sheet is manufactured by weaving or knitting, it is possible to change the design of the pile core sheet in arrangement and orientation of piles and to determine the size, shape or arrangement of hook elements optionally. It is accordingly possible to cope instantly with various requirements for the surface fastener in which hook and loop elements coexist.
Wessels et al., col. 10, lines 53-60.

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A careful review of the cited portion of Wessels et al. however, reveals that it does not provide support for changes in the size and/or shape of the polymer regions containing hooks. Rather, the variations in "size, shape or arrangement" are discussed for the "hook elements" themselves – not for the size and/or shape of the polymer regions that contain the hooks as asserted in support of this rejection.

As discussed in the previous response, Wessels et al. discloses only constructions in which polymeric regions on the first major side of the substrate are continuous, i.e., the continuous polymeric regions of Wessels et al. do not "have a perimeter that is entirely bordered by the first major side of the substrate" as recited in the rejected claims. *See, e.g.,* Wessels et al., Figures 3 and 6-8.

It is asserted in the Office Action that the proposed modification "is an obvious matter of design choice depending on particular use of a final product. Therefore, it would have been an obvious matter of design choice to make discrete regions in Wessels et al. of any desirable pattern of the web (including those of claimed invention) depending on the particular application of end product in the absence of a showing of criticality." Applicants respectfully disagree.

Wessels et al. teaches articles in which a surface fastener is formed by passing a substrate through an injection molding or extrusion apparatus to form continuous web that includes continuous fastener regions surrounded on one or two sides by the substrate. In other words, the fastener regions are typically provided in the form of continuous stripes that extend along the length of the web (*see, e.g.,* Wessels et al., Figures 3 & 6).

Although the assertion is made that the difference between "a discrete patch having a perimeter that is entirely bordered by the first major side of the substrate" and the continuous stripes of polymer taught by Wessels et al. is a mere matter of design choice, no compelling support or reasoning is provided for that conclusory assertion.

A change from the continuous stripes of Wessels et al. to the discrete patches of the claimed invention is a change in the basic properties of the different polymeric regions. The

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basic nature of the differences in the proposed change is demonstrated by the fact that the entire disclosure of Wessels et al. is focused on how to form continuous stripes of polymer hooks – no part of the disclosure of Wessels et al. teaches or suggest that the apparatus and methods disclosed therein could be used to provide "discrete patches" as recited in each of independent claims 71, 94, 109, and 111.

For at least this reason, Applicants respectfully submit that a *prima facie* case of obviousness has not been established for claims 71, 73-79, 81-82, 94, 95, 97-109, and 111 based on Wessels et al. Reconsideration and withdrawal of this obviousness rejection of claims 71, 73-79, 81-82, 94, 95, 97-109, and 111 are, therefore, respectfully requested.

II. Obviousness over Wessels et al. in view of Allen et al.

Claims 72, 83, 85-90, 92-93, 96, and 110 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wessels et al. (U.S. Patent No. 5,669,120) in view of Allen et al. (U.S. Patent No. 5,547,531). Applicants respectfully disagree.

A. Claims 72 & 96: *Wessels et al. does not teach or suggest a "plurality of discrete polymeric regions [that] are located only on the first major side of the substrate, and further wherein the polymer forming the discrete patches of polymer is not present on the second major side of the substrate."*

Claim 72 depends from independent claim 71 and claim 96 depends from independent claim 94. As discussed above in Section I.A., Wessels et al. does not support a *prima facie* case of obviousness with respect to independent claims 71 and 94. Furthermore, Allen et al. is cited only for its disclosure regarding elastic substrates and does not address the basic deficiencies of Wessels et al.

As a result, Applicants respectfully submit that the combination of Allen et al. with Wessels et al. does not support a *prima facie* case of obviousness with respect to claims 72 and 96. Reconsideration and withdrawal are, therefore, respectfully requested.

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B. Claims 83, 85-90 & 92-93: *Wessels et al. and Allen et al. do not teach or suggest a plurality of discrete polymeric regions in which "the polymer forming the discrete patches of polymer is not present on the second major side of the substrate."*

Among claims 83, 85-90 & 92-93, claim 83 is an independent claim with the remaining claims depending from claim 83. Independent claim 83 recites, *inter alia*, that "the plurality of discrete polymeric regions are located only on the first major side of the substrate, and further wherein the polymer forming the discrete patches of polymer is not present on the second major side of the substrate." This combination of features is not disclosed or suggested by Wessels et al. and/or Allen et al.

The secondary reference (Allen et al.) is relied on only for its teachings with respect to elastic substrates. All other features are purportedly found in the primary reference (Wessels et al.).

As discussed above in Section I.A., however, the articles of Wessels et al. are all manufactured by methods that all involve the use of one or more masses of polymer that are either extruded through the substrate S (as depicted in Figure 1 and described at col. 7, lines 10-41) or into which the substrate S is embedded (as depicted in Figure 5 and described at col. 8, line 55 to col. 9, line 9). No other manufacturing methods are disclosed or suggested in Wessels et al. Further, both of these methods inherently and unavoidably provide one or more masses of polymer that forms both the hooks 4b and polymer layer 4a. As depicted in Figures 4B and 4F, the polymer forming the layer 4a is merely that portion of the polymer that is not forced through the substrate S. As a result, the polymer forming the polymer regions of Wessels et al. is inherently and unavoidably found on both major sides of the article.

In support of this rejection, it is asserted that "patentability of a product is independent of how it is made." Applicants do not disagree with this assertion, but note that it is not germane to the issue presented with respect to the rejection of claims 83, 85-90 & 92-93. Applicants are not asserting that the methods of manufacturing the articles described in claims 83, 85-90 & 92-93

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are the basis for the patentability of those claims. Rather, Applicants are merely pointing out that all of the methods for manufacturing all of the articles disclosed in Wessels et al. would inherently and unavoidably result in articles that do not meet the requirements of claims 83, 85-90 & 92-93. As a result, Wessels et al. (alone or together with Allen et al.) does not, and cannot, support a *prima facie* case of obviousness with respect to claims 83, 85-90 & 92-93.

For at least this reason, Applicants respectfully submit that a *prima facie* case of obviousness has not been established for claims 83, 85-90 & 92-93 based on Wessels et al. in view of Allen et al. Reconsideration and withdrawal of this obviousness rejection of claims 83, 85-90 & 92-93 are, therefore, respectfully requested.

C. Claims 83, 85-90 & 92-93: Wessels et al. and Allen et al. do not teach or suggest a plurality of discrete polymeric regions that, each of which comprises a discrete patch of polymer "having a perimeter that is entirely bordered by the first major side of the substrate."

Independent claim 83 recites, *inter alia*, "a plurality of discrete polymeric regions fused to the first major side of the substrate" and that each of the discrete polymeric regions is in the form of "a discrete patch of polymer having a perimeter that is entirely bordered by the first major side of the elastic substrate." This combination of features is not disclosed or suggested by Wessels et al. and/or Allen et al.

The secondary reference (Allen et al.) is relied on only for its teachings with respect to elastic substrates. All other features are purportedly found in the primary reference (Wessels et al.).

As discussed in Section I.C. above, the Examiner relies on the teachings of column 10, lines 53-60 of Wessels et al. as support for an assertion that Wessels et al. discloses or suggests changing the shape and/or spacing of the polymer regions containing the hooks. Applicants respectfully disagree and have reproduced the cited portion of Wessels et al. below:

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Further, since the pile core sheet is manufactured by weaving or knitting, it is possible to change the design of the pile core sheet in arrangement and orientation of piles and to determine the size, shape or arrangement of hook elements optionally. It is accordingly possible to cope instantly with various requirements for the surface fastener in which hook and loop elements coexist.

Wessels et al., col. 10, lines 53-60.

A careful review of the cited portion of Wessels et al. reveals that it does not provide support for changes in the size and/or shape of the polymer regions containing hooks. Rather, the variations in "size, shape or arrangement" are discussed in the cited portion of Wessels et al. are for the "hook elements" themselves – not for the size and/or shape of the polymer regions that contain the hooks as asserted in support of this rejection.

As discussed in the previous response, Wessels et al. discloses or suggests only constructions in which polymeric regions on the first major side of the substrate are continuous, i.e., the continuous polymeric regions of Wessels et al. do not "have a perimeter that is entirely bordered by the first major side of the substrate" as recited in the rejected claims. See, e.g., Wessels et al., Figures 3 and 6-8.

It was asserted in the previous Office Action that the proposed modification "is an obvious matter of design choice depending on particular use of a final product. Therefore, it would have been an obvious matter of design choice to make discrete regions in Wessels et al. of any desirable pattern of the web (including those of claimed invention) depending on the particular application of end product in the absence of a showing of criticality." Applicants respectfully disagree.

Wessels et al. teaches articles in which a surface fastener is formed by passing a substrate through an injection molding or extrusion apparatus to form continuous web that includes continuous fastener regions surrounded on one or two sides by the substrate. In other words, the fastener regions are typically provided in the form of continuous stripes that extend along the length of the web (see, e.g., Wessels et al., Figures 3 & 6).

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Although the assertion is made that the difference between "a discrete patch having a perimeter that is entirely bordered by the first major side of the substrate" and the continuous stripes of polymer taught by Wessels et al. is a mere matter of design choice, no compelling support or reasoning is provided for that conclusory assertion.

A change from the continuous stripes of Wessels et al. to the discrete patches of the claimed invention is a change in the basic properties of the different polymeric regions. The basic nature of the differences in the proposed change is demonstrated by the fact that the entire disclosure of Wessels et al. is focused on how to form continuous stripes of polymer hooks – no part of the disclosure of Wessels et al. teaches or suggest that the apparatus and methods disclosed therein could be used to provide "discrete patches" as recited in independent claim 83.

For at least this reason, Applicants respectfully submit that a *prima facie* case of obviousness has not been established for claims 83, 85-90 & 92-93 based on Wessels et al. in view of Allen et al. Reconsideration and withdrawal of this obviousness rejection of claims 83, 85-90 & 92-93 are, therefore, respectfully requested.

D. Claim 110: *Wessels et al. and Allen et al. do not teach or suggest a "plurality of discrete polymeric regions [that] are located only on the first major side of the elastic substrate, and wherein the polymer forming the plurality of discrete polymeric regions does not extend through the substrate to the second major side of the substrate or form the second major side of the substrate."*

Independent claim 110 recites, *inter alia*, that "the plurality of discrete polymeric regions are located only on the first major side of the elastic substrate, and wherein the polymer forming the plurality of discrete polymeric regions does not extend through the substrate to the second major side of the substrate or form the second major side of the substrate." This combination of features is not disclosed or suggested by Wessels et al. alone or in combination with Allen et al.

The secondary reference (Allen et al.) is relied on only for its teachings with respect to elastic substrates. All other features are purportedly found in the primary reference – Wessels et

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al. Furthermore, as discussed above in Section I.B., the articles of Wessels et al. are all manufactured by methods that all involve the use of one or more masses of polymer that are either extruded through the substrate S (as depicted in Figure 1 and described at col. 7, lines 10-41) or into which the substrate S is embedded (as depicted in Figure 5 and described at col. 8, line 55 to col. 9, line 9). No other manufacturing methods are disclosed or suggested in Wessels et al. Further, both of these methods inherently and unavoidably provide one or more masses of polymer that forms both the hooks 4b and polymer layer 4a. As depicted in Figures 4B and 4F, the polymer forming the layer 4a is merely that portion of the polymer that is not forced through the substrate S. As a result, the polymer forming the polymer regions of Wessels et al. is inherently and unavoidably found on both major sides of the article.

For at least this reason, Applicants respectfully submit that a *prima facie* case of obviousness has not been established for claim 110 based on Wessels et al. in view of Allen et al. Reconsideration and withdrawal of this obviousness rejection of claim 110 are, therefore, respectfully requested.

III. Obviousness over Wessels et al. in view of Murasaki et al.

Claims 85 and 107 under 35 U.S.C. §103(a) as being unpatentable over Wessels et al. (U.S. Patent No. 5,669,120) in view of Murasaki (U.S. Patent No. 5,643,651). Applicants respectfully disagree.

A. Claim 85: Wessels et al. and Murasaki et al. do not teach or suggest a "plurality of discrete polymeric regions [that] are located only on the first major side of the substrate, and further wherein the polymer forming the discrete patches of polymer is not present on the second major side of the substrate."

Claim 85 depends from independent claim 83. As discussed above in Section II.A., Wessels et al. does not support a *prima facie* case of obviousness with respect to independent

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claim 83. Furthermore, Murasaki et al. does not address the basic deficiencies of Wessels et al. discussed above (nor is there any assertion that Murasaki et al. does so).

As a result, Applicants respectfully submit that the combination of Murasaki et al. with Wessels et al. does not support a *prima facie* case of obviousness with respect to claim 85. Reconsideration and withdrawal of this rejection of claim 85 are, therefore, respectfully requested.

B. Claim 85: *Wessels et al. and Murasaki et al. do not teach or suggest a plurality of discrete polymeric regions that, each of which comprises a discrete patch of polymer "having a perimeter that is entirely bordered by the first major side of the substrate."*

Claim 85 depends from independent claim 83. As discussed above in Section II.C., Wessels et al. does not support a *prima facie* case of obviousness with respect to independent claim 83, nor does Allen et al. address the deficiencies of Wessels et al. Similarly, Murasaki et al. does not address the basic deficiencies of Wessels et al. — nor is there any assertion that Murasaki et al. does so as would be required for a *prima facie* case of obviousness.

As a result, Applicants respectfully submit that the combination of Murasaki et al. with Wessels et al. does not support a *prima facie* case of obviousness with respect to claim 85. Reconsideration and withdrawal of this rejection of claim 85 are, therefore, respectfully requested.

C. Claim 107: *Wessels et al. and Murasaki et al. do not teach or suggest a "plurality of discrete polymeric regions [that] are located only on the first major side of the substrate, and further wherein the polymer forming the discrete patches of polymer is not present on the second major side of the substrate."*

Claim 107 depends (ultimately) from independent claim 94. As discussed above in Section I.A., Wessels et al. does not support a *prima facie* case of obviousness with respect to

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independent claim 83. Furthermore, Murasaki et al. does not address the basic deficiencies of Wessels et al. discussed above (nor is there any assertion that Murasaki et al. does so).

As a result, Applicants respectfully submit that the combination of Murasaki et al. with Wessels et al. does not support a *prima facie* case of obviousness with respect to claim 107. Reconsideration and withdrawal of this rejection of claim 107 are, therefore, respectfully requested.

D. Claim 107: Wessels et al. and Murasaki et al. do not teach or suggest a plurality of discrete polymeric regions that, each of which comprises a discrete patch of polymer "having a perimeter that is entirely bordered by the first major side of the substrate."

Claim 107 depends (ultimately) from independent claim 94. As discussed above in Section I.C., Wessels et al. does not support a *prima facie* case of obviousness with respect to independent claim 94. Furthermore, Murasaki et al. does not address the basic deficiencies of Wessels et al. -- nor is there any assertion that Murasaki et al. does so as would be required for a *prima facie* case of obviousness.

As a result, Applicants respectfully submit that the combination of Murasaki et al. with Wessels et al. does not support a *prima facie* case of obviousness with respect to claim 107. Reconsideration and withdrawal of this rejection of claim 107 are, therefore, respectfully requested.

IV. Obviousness over Wessels et al. in view of Allen et al.

Claims 112 and 113 were rejected under 35 U.S.C. §103(a) as being unpatentable over Wessels et al. (U.S. Patent No. 5,669,120) in view of Allen et al. (U.S. Patent No. 5,547,531). Applicants respectfully disagree.

In connection with this rejection, it is admitted that "Wessels et al. do not teach that a second side of the substrate is free of the polymer making up the plurality of discrete polymeric

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regions." Allen et al. is then cited as teaching that which Wessels et al. does not. Applicants, however, respectfully disagree.

As noted in the rejection of claims 112 and 113, Allen et al. teaches an article including a layer of polymeric film 33 to which a nonwoven layer 22 is attached. In making this obviousness rejection, it is asserted that one of ordinary skill in the art would "have used an elastic backing comprised of a laminate of two films of *different* polymers for making a fastener in Wessels so that only upper polymer film (which is joined to the fibrous web) is used for making hooks, instead of conventional knit or woven fabric joined to a polymer film." Office Action, p. 4, August 2, 2007.

The asserted obviousness rejection does not establish a *prima facie* case of obviousness at least because it does not offer a reasonable likelihood of success. As discussed above, all of the methods of manufacturing the articles of Wessels et al. require that at least a portion of a molten polymer be forced through a porous knit or woven fabric substrate S. The Examiner is now asserting that one of ordinary skill would substitute a polymer film for that porous knit or woven fabric and somehow force a molten polymer therethrough. Applicants respectfully submit that the proposed combination does not present a reasonable likelihood of success as required for a case of *prima facie* obviousness.

As noted in the MPEP:

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2143.02 Reasonable Expectation of Success Is Required [R-6]

>A rationale to support a conclusion that a claim would have been obvious is that all the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, and the combination would have yielded nothing more than predictable results to one of ordinary skill in the art. *KSR International Co. v. Teleflex Inc.*, 550 U.S. ___, ___, 82 USPQ2d 1385, 1395 (2007); *Sakraida v. AG Pro, Inc.*, 423 U.S. 273, 282, 189 USPQ 449, 453 (1976); *Anderson's-Black Rock, Inc. v. Pavement Salvage Co.*, 396 U.S. 57, 62-63, 163 USPQ 673, 675 (1969); *Great Atlantic & P. Tea Co. v. Supermarket Equipment Corp.*, 340 U.S. 147, 152, 87 USPQ 303, 306 (1950).

Wessels et al. teaches two different methods by which the disclosed articles are manufactured. The first is depicted in Figure 1 and show the molten polymer 4 being forced through the porous knit or woven substrate S from an injection die 1, with the hooks being formed on the side of the resulting article that faces away from the injection die 1. See, e.g., *Wessels et al.*, col. 7, lines 10-41. Applicants note that the Examiner has failed to explain in any detail how one of ordinary skill in the art could substitute a polymer film for the porous knit or woven substrate S in this process using known methods.

The second method is depicted in Figure 5 of Wessels et al. In this method, the molten polymer 4 is ejected from an extrusion die 11 into a nip into which a porous knit or woven substrate S is also being fed. The molten polymer 4 is forced through the porous knit or woven substrate S within the nip. As above, the Examiner has failed to explain in any detail how one of ordinary skill in the art could substitute a polymer film for the porous knit or woven substrate S in this process using known methods.

In addition, claims 112 and 113 also both recite discrete polymeric regions in the form of "a discrete patch of polymer having a perimeter that is entirely bordered by the first major side of

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the substrate." This combination of features is not disclosed or suggested by Wessels et al. and/or Allen et al. as discussed in Section II.C. above.

For at least the reasons presented above, Applicants respectfully submit that a *prima facie* case of obviousness has not been established with respect to claims 112 and 113 over Wessels et al. in view of Allen et al. Reconsideration and withdrawal of this rejection are, therefore, respectfully requested.

Summary

It is respectfully submitted that the pending claims 71-79, 81-83, 85-90, and 92-115 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact Applicants' Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted
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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 30 day of October, 2007, at 12:57 pm (Central Time).

By: Dani Moroz
 Name: Dani Moroz
